

REMARKS

Claim 62 was rejected under 35 U.S.C. 102(b) as allegedly anticipated by Riggan (US Patent 5,898,673. Claim 62 has been amended to include the limitation that the data traffic demands of the computer network are determined by collecting and processing specific information on one or more traffic parameters reported by one or more entities in the computer network. Riggan does not teach this limitation. As such, Applicant respectfully submits that Claim 62 is patentable over the cited art. Applicant further notes that the amendment is fully supported by the original written description of the instant application and as such does not constitute new matter.

Claim 63 was rejected under 35 U.S.C. §112, second paragraph as being indefinite. Applicant has eliminated the clause to which the Examiner objected, and believes this obviates the present rejection.

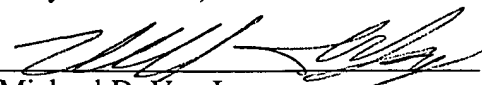
Claim 63 was also rejected under 35 U.S.C. 102(e) as anticipated by Ghani (U.S. Patent No. 6,728,484). Claim 63 depends from and includes all of the limitations of newly amended Claim 62. Applicant respectfully asserts that Ghani also does not teach the limitation added to Claims 62 and 63. As such, Claim 63 should be deemed patentable. Favorable action is requested.

The Examiner is invited to call the undersigned at the number provided if any issues arising in connection with the above-referenced application may be dispensed of by telephone conference. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-2559.

Respectfully submitted,

Dated: 14 December 2005  
**Customer Number: 39368**  
Skymoon Research and Development  
3045 Park Boulevard  
Palo Alto, CA 94306  
(650) 475-1605 (telephone)  
(650) 688-3119 (facsimile)

By:

  
Michael D. Van Loy  
Registration No. 52,315